

June 20, 2019

Sent by email

Secretary Office
Puerto Rico Planning Board
San Juan, PR
comentariosjp@jp.pr.gov

Comments to the Public Notice:

**Application for Federal Consistency Certification with the PR Coastal Zone Management Program
CZ-2019-0301-085 Flood Risk Reduction Project of Culebrinas River in Aguada and Aguadilla**

This project requires a Federal Environmental Impact Statement (EIS) to comply with the Federal Consistency Certification with the PR Coastal Zone Management Program because:

- a. The project represents a threat to the public safety of Espinar and Tablonal Communities in the Municipality of Aguada, Puerto Rico,
- b. The project is located in a Nature Reserve, designated by the Governor of Puerto Rico in the year 2016 (OE-2016-040), with the purpose to preserve and protect the high ecological value of the lands for the joyful of the present and future generations, <https://reservanaturalcanomadrevieja.files.wordpress.com/2017/03/orden-ejecutiva-cac3b1o-madre-vieja.pdf>
- c. The project is highly controversial, mainly for the Tablonal and Espinar low income, highly flooded and environmental justice communities. <http://www.indicepr.com/noticias/2014/03/27/news/17568/defienden-el-estuario/>
- d. The project will impact an Environmental Justice Community because “the population percentages exceed 50 percent, indicating that the study area does contain a high concentration of minority and low-income population”. These EJ communities are very concern about the negative impact of this project in their properties and the risks for their lives.
- e. The project will impact an unique coastal geographic region in the northwest Puerto Rico, an area protected by many environmental organizations of the Island

https://reservanaturalcanomadrevieja.files.wordpress.com/2014/05/ponencia-capca_pdel-s-606-19feb-14_final.pdf

- f. The project adopted the 2002 environmental information provided previously by local and federal agencies and did not include recent studies and information provided by the:

PR Department of Natural and Environmental Resources (DNER)

The DNER published valuable environmental information regarding the importance and ecological value of the Caño Madre Vieja in the Municipality of Aguada-Aguadilla. This information was fundamental to support the reserve's designation in 2016.

<https://reservanaturalcanomadrevieja.files.wordpress.com/2017/06/documento-designacion-3b3n-rn-cac3b1o-madre-vieja-2.pdf>

The DNER published information related to the presence of the habitat for the endangered marine turtle's species: *Dermochelys coriacea* (Tinglar) and *Eretmochelys imbricate* (Carey de Concha) in the area where the project is planned.

<https://reservanaturalcanomadrevieja.files.wordpress.com/2017/03/anejo-h-informe-drna-tortugas-marinas.pdf>

US Fish and Wildlife Service (US FWS)

In 2013, the US FWS stated that: "*The Espinar and Caño Madre Vieja mangroves provide habitat for native river fauna, serve as nesting habitat for resident and migratory birds and can serve as an important living laboratory to the Municipalities of Aguada and Aguadilla.*" "*Because of the ecological value that these wetlands have, we support the efforts to designate this area as a Commonwealth of Puerto Rico Natural Reserve.*"

<https://reservanaturalcanomadrevieja.files.wordpress.com/2014/05/comentarios-usfws-al-ps-606.pdf>

Also, US FWS stated that the Caño Madre Vieja area is composed of mangrove and freshwater wetlands (they did not mention that the wetlands are "degraded"). The wetlands associated with the area have been designated Coastal Barrier (PR-75 and PR-75P) and therefore, FEMA or disaster relief may not apply. The levees of the proposed flood control project are located in some coastal sections of these coastal barriers.

Natural Resources and Conservation Service (NRCS)

The project stated that: "*The Recommended Plan will result in unavoidable impacts to approximately 10.25 acres of mostly degraded wetlands within the levee right of way*

(formerly Coloso sugar cane fields).” “Construction of the levees, interior drainage facilities, and cutoff channel will require approximately 84,101 cubic meters (110,000 cubic yards) of fill that should not result in violations of water quality standards (physical and chemical parameters of the aquatic ecosystem).

“The total project footprint coordinated with NRCS in 2004 totaled 36.55 acres. The revised levee dimensions increases the total project footprint to 46.17 acres.”

“The Recommended Plan would eliminate approximately 11.7 acres of farmland, of which 5.43 are in pasture production and approximately 1.5 acres are wet pasturelands. The project is being coordinated with NRCS and the public.”

Comment: Wetlands located at the Caño Madre Vieja are healthy and there are no-known pollution sources impacting this coastal and riverine ecosystems. Depositing filling material in the Caño Madre Vieja wetlands and mangroves will destroy and disappear this important tropical ecosystem, affecting surrounding Aguada communities (Tablonal and Espinar) from floods, tsunamis and storm surges. The water quality standards for the six parameters mentioned in the project will be altered when the Caño Madre Vieja will be filled with soil, sediments and other filling materials.
<https://reservanaturalcanomadrevieja.files.wordpress.com/2018/09/anejo-b-custom-soil-report-nrcs-marzo-2016.pdf>

Comment: The project did not include information or communications from the PR Department of Agriculture (DA), and only includes an old communication from NRCS (year 2002) about federal compliance. Local compliance with the DA is very important, since prime and unique farmland soils will be impacted.

Environmental Protection Agency (EPA)

The project does not include information and compliance with the EPA regulations related to the Clean Water Act and Environmental requirements

Emergency management and assistance (FEMA)

https://reservanaturalcanomadrevieja.files.wordpress.com/2014/05/section60_31-fema.pdf

Scientific studies

<https://reservanaturalcanomadrevieja.files.wordpress.com/2014/05/patrones-de-salinidad-cac3b1o-madre-vieja.pdf>

<https://reservanaturalcanomadrevieja.files.wordpress.com/2014/05/ponencia-dr-quintero-p-de-la-s-606-cac3b1o-madre-vieja.pdf>

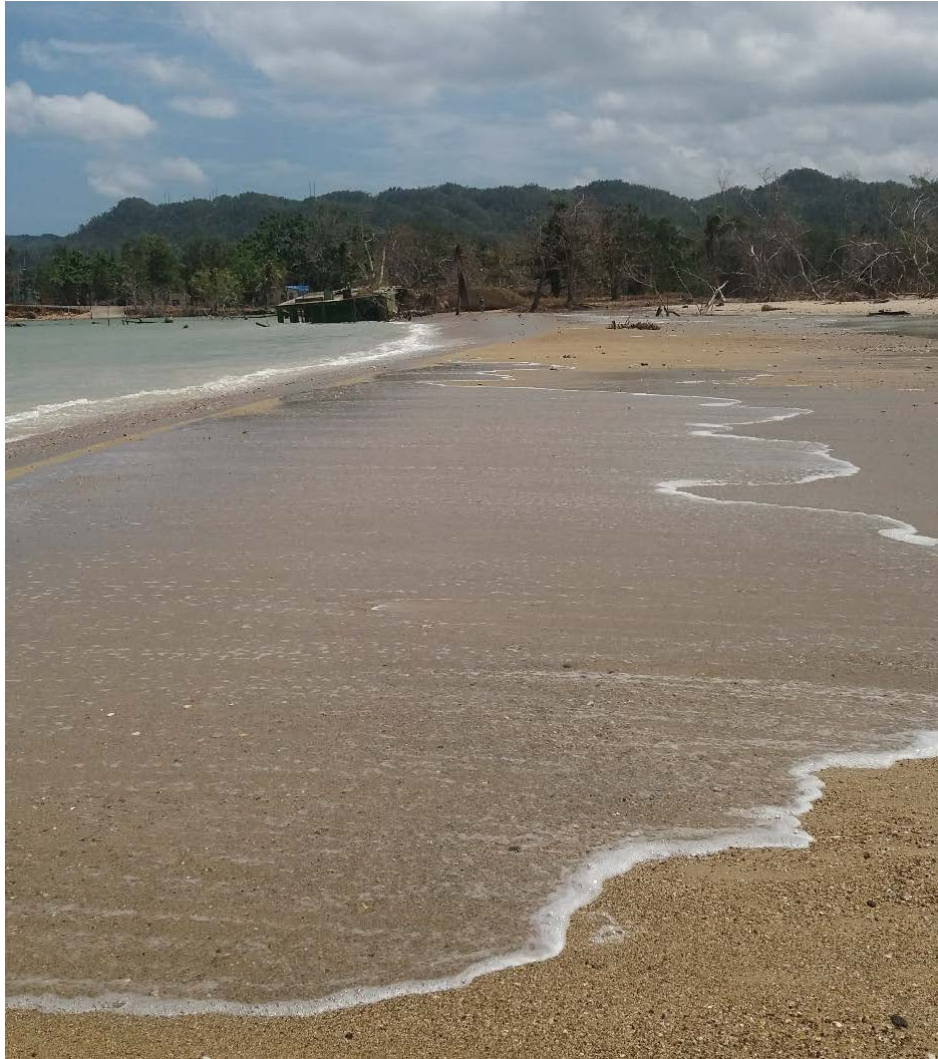
Comment: The studies for this project are based on scientific information and environmental conditions from 1999-2002, more than 20 years ago. The new reality in our island is the extreme weather and climate change events that are affecting our coastal and natural environments. We recommended an updated of the scientific and environmental information throughout an Environmental Impact Statement that includes community participation, especially the “*environmental justice*” communities’ that will be impacted with the proposed project. The Caño Madre Vieja will be severely impacted with the Hurricane Maria (2017) and the storm surges of 2018. The area continues to be exposed to these extreme weather events, and any proposed project will have to include the new environmental conditions (see photos, page 5-7).

Comments submitted by:

A handwritten signature in blue ink, appearing to read "Ana J. Navarro Rodríguez".

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Caño Madre Vieja, Aguada, Puerto Rico
@Dra. Ana J Navarro- March 23, 2018
(after Hurricane María and historical storm surge)



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Community Espinar, Aguada, Puerto Rico

@Dra. Ana J Navarro- March 23, 2018
(after Hurricane María and historical storm surge)



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